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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/707,720 | 11/07/2000 | Yasuhiro Takada | 9812.0685-00000 | 9803 |

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

| EXAMINER | |
|---|---|
| LONSBERRY, HUNTER B | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2623 | |

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/707,720 | TAKADA ET AL. | |
| | Examiner | Art Unit | |
| | Hunter B. Lonsberry | 2623 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *16 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *10 and 12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10 and 12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 2/16/06 have been fully considered but they are not persuasive.

Applicant argues that IRM 26 is located within the serial bus protocol for IEEE 1394 serial bus. The IRM 26 exercises a subset of the management responsibilities normally assumed by bus manager 28. The IRM 26 is not included in the DTV. Further even assuming that the IRM 26 allocates and deallocates the channels and bandwidth in order to establish the connection, there is no teaching that the first controlling apparatus does not mount a control module and said another controlling apparatus mounts a control module as recited in claim 10. Controlling the flow and reception of isochronous data does not suggest a first controlling apparatus that does not mount a control module of said connection management function and has been notified by said other controlling apparatus that said another controlling apparatus mounts a control module of said connection management function. (Response pages 2-4)

Regarding applicant's argument, the Examiner disagrees. Stahl teaches that IRM 26 may reside on two different nodes or on a single node (column 3, lines 58-62) further, Stahl explicitly states, "For the IEEE 1394 serial bus to function properly, an isochronous resource manager (IRM) and a bus manager (BM) will be needed. Since most clusters (i.e., devices interconnected via a digital bus) will include a display device

of some kind, it should be required that a set top box with analog display and DTV, must be IRM and BM capable." (column 4, lines 12-18), thus IRM 26 resides on the DTV, further it is the DTV, which issues the commands via the IEEE 1394 bus to control the DVCR (column 8, lines 1-28, play control commands transmitted by the DTV to control the output of DVCR).

Further, Stahl teaches that the isochronous data flows can be controlled by any device connected to the IEEE 1394 bus (column 6, lines 8-32), thus controlling the flow and reception of isochronous data, by another device other than the first device ( column 6, lines 8-32, column 8, lines 1-28) does suggest a first controlling apparatus that does not mount a control module of said connection management function and has been notified by said other controlling apparatus that said another controlling apparatus mounts a control module of said connection management function.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,665,020 to Stahl in view of U.S. Patent 6,918,123 B1 to Shteyn.

Regarding claim 10, Stahl discloses a transmitting system for transmitting data from a transmitting apparatus to a receiving apparatus connected to a predetermined network (figure 2, column 7, line 57-column 8, line 26) the system comprising:

a first controlling apparatus (DTV)connected to a predetermined network (IEEE 1394 network) said first controlling apparatus including a first control section IRM 26 for preparing and transmitting a request to another controlling apparatus (DVCR) to execute a connection management function (column 3, line 58-column 4, line 29, column 6, lines 8-19, speed, topological map, allocation of bandwidth establishment of connection) when the first controlling apparatus does not mount a control module of said connection management function and has been notified by said another controlling apparatus that said another controlling apparatus mounts a control module of said connection management function (IRM 26 allocates and deallocates the channels and bandwidth in order to establish the connection, in conjunction with control output control registers and master plug register on the transmitting side in conjunction with the corresponding input plug and master registers on the receiving side, column 6, lines 8-20) said request including a request for executing the connection management to establish a connection between the transmitting apparatus (DVCR) and the receiving apparatus (DTV) on the predetermined network (column 6, lines 8-20, output control/master registers on input and output devices) and to execute data transmission from the transmitting apparatus to the receiving apparatus through the connection by

using a control module of a corresponding connection management function mounted in said another controlling apparatus (column 5, lines 8-14, column 8, lines 1-53), and

a second controlling apparatus (asynchronous acknowledgements , column 3, lines 22-26, 41-54, a receiving device can ignore input from the transmitting device and be control directly, column 10, line 57-column 11, line 16, 53-column 12, line 13) configured to receive said requests said second controlling apparatus including a second control section for executing the connection management function,

Stahl fails to disclose a request which utilizes a self describing data structure which provides device control data, the device control data including an override DCM (device control module) of the transmitting device and the receiving device.

In an analogous art Shyten discloses the use of a HAVi network which utilizes IEEE 1394 bus protocols (column 7, lines 12-25, 37-60), each device transmits interoperability control data to every other device on the network in order for the devices to be able to locate on another on the network and recognize which devices are connected (column 7,64-column 8, lines 12, column 9, lines 11-46) the data is formatted as self describing data which includes DCMS (column 9, lines 19-38) ensuring interoperability, DCMs may be overridden and replaced by uploaded DCMs from another device, allowing for features not present on legacy devices to be integrated into the device via the override DCM (column 39-column 10, line 14 26).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the IEEE1394 network of Stahl to utilize the self describing data structures and override DCMS of the HAVi enabled IEEE 1394 network as taught by

Shyten, for the advantages of making it easy for other devices on the network to recognize the capabilities of every other device on the network and enable additional functionality and features not provided on a legacy device.

Regarding claim 12, Stahl discloses a transmitting system (figure 2) for transmitting data from a transmitting device to a receiving device connected to a predetermined network, the system comprising:

a first device (DTV) including a first control section (IRM 26) for preparing and transmitting a request to another device to mount a connection management function from a plurality of connection management functions (column 3, line 58-column 4, line 29, column 6, lines 8-19, speed, topological map, allocation of bandwidth establishment of connection) when the first device does not mount said connection management function and has been notified by said another device that said another device mounts said connection management function, said request including a request for executing the connection management for data transmission between the transmitting device and the receiving device (column 6, lines 8-20, output control/master registers on input and output devices, column 5, lines 8-14, column 8, lines 1-53); and

a second device (DVCR) configured to receive said request, said second device including a second control section for executing the connection management function (asynchronous acknowledgements , column 3, lines 22-26, 41-54, a receiving device

can ignore input from the transmitting device and be control directly, column 10, line 57-column 11, line 16, 53-column 12, line 13).

Stahl fails to disclose a request which utilizes a self describing data structure which provides device control data, the device control data including an override DCM (device control module) of the transmitting device and the receiving device.

In an analogous art Shyten discloses the use of a HAVi network which utilizes IEEE 1394 bus protocols (column 7, lines 12-25, 37-60), each device transmits interoperability control data to every other device on the network in order for the devices to be able to locate on another on the network and recognize which devices are connected (column 7,64-column 8, lines 12, column 9, lines 11-46) the data is formatted as self describing data which includes DCMS (column 9, lines 19-38) ensuring interoperability, DCMs may be overridden and replaced by uploaded DCMs from another device, allowing for features not present on legacy devices to be integrated into the device via the override DCM (column 39-column 10, line 14 26).
Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the IEEE1394 network of Stahl to utilize the self describing data structures and override DCMS of the HAVi enabled IEEE 1394 network as taught by Shyten, for the advantages of making it easy for other devices on the network to recognize the capabilities of every other device on the network and enable additional functionality and features not provided on a legacy device.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HBL

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600